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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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| 09/028,726      | 02/24/98    | JOKIMIES             | M 297-007856-U      |

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EXAMINER

APPIAH, C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2682     | 12           |

DATE MAILED: 01/17/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

6

# Office Action Summary

Application No.  
09/028,726

Applicant

Jokimies

Examiner

Charles Appiah

Group Art Unit  
2682



☒ Responsive to communication(s) filed on Dec 27, 2000

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-10 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-10 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2682

## DETAILED ACTION

### *Continued Prosecution Application*

1. The request filed on 12/27/00 for a Continued Prosecution Application (CPA) under 37 CFR 1.53(d) based on parent Application No. 09/028,726 is acceptable and a CPA has been established. An action on the CPA follows.

### *Response to Arguments*

2. Applicant's arguments with respect to claims 1, 4, and 6 have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 102*

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 4, and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by **Alford (5,722, 070)**.

With respect to claims 1, 4, and 6 Alford teaches a cellular system, which comprises terminals, cells and a network including stationary network equipment of which the terminals are arranged to set up and maintain radio communication with base stations in the cells (see FIG. 2), wherein at least one terminal is arranged to favor at least one cell based on data specific to that terminal stored in and received from the network (feature transmission of cell beacon that identifies a particular cell being transmitted on every transceiver in the cell site base station, col. 7,

Art Unit: 2682

lines 41-54, the cell beacon comprises cell ID code . . . , col. 8, lines 17-41, and “the indicia of cell of preference is equal to the cell ID code transmitted in the cell beacon . . .”, col. 9, lines 10-17).

***Claim Rejections - 35 USC § 103***

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action

6. Claims 2, 3, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Alford** as applied to claims 1 and 6 above, and further in view of **Takahashi et al. (5,854,980)**.

7. With respect to claim 2, Alford fails to specifically disclose that the stationary network equipment comprises a database for storing cell priority data relating to individual terminals. The use of a database such a home location register or visitor location register for storing information relating to individual terminals in mobile communication systems is very well known in the art as taught for example by Takahashi. Takahashi discloses a radio communication system which includes stationary equipment inherently include a database for storing cell priority data relating to individual terminals (see col. 4, lines 10-43). It is inherent that the system identification number transmitted from the base station is retrieved from a database attached to or in the base station. It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of Takahashi with the system of Alford for making available stored information for effective and affordable desired communications.

Art Unit: 2682

With respect to claims 3 and 7, Alford as modified by Takahashi further disclose (as taught by Takahashi) that the stationary network equipment is arranged to supply information to the terminal about priority data relating to the terminal, as a response to one of the following: the terminal registers with the cellular radio system, the terminal's location data changes in the cellular radio system, the priority data in the database is altered, a predetermined time has passed since the previous message to the terminal, which contained priority data relating to the terminal (see col. 4, lines 30-65).

8. Claims 5 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Alford** as applied to claims 4 and 6 above and further in view of **Wang et al. (5,649,289)**.

With respect to claims 5 and 8, Alford teaches everything as applied to claims 4 and 6. Alford however, fail to specifically disclose that the terminal is further arranged to maintain a list of possible cells for re-selection and to arrange the list in an order which is based on a parameter calculated for each cell, in which for priority cells the terminal is arranged to alter the parameter calculation relating to the cell, so that the parameter has a particular advantageous value in the case of a priority cell. Wang discloses a communication system that uses indexes in determining cells which are considered part of a preferred list for a customer paging area for a mobile subscriber (see col. 5, lines 35-67). It would therefore have been obvious to one of ordinary skill in the art to incorporate the teaching of Wang into the system of Alford in order to identify the characteristics of preferable cells.

Art Unit: 2682

Alford as modified by Wang fail to specifically teach the terminal being arranged to maintain a list of possible cells for cell re-selection in an order which is based on a parameter calculated for each cell in which for priority cells it is arranged to alter the parameter calculation relating to the cell so that the parameter gets a particularly advantageous value in the case of a priority cell. However, it is very well known in the art to use certain defined parameters in maintaining cell re-selection data to favor priority cells as taught by Wang. It would therefore have been obvious to one of ordinary skill in the art to combine the teaching of Wang with the system of Alford for the benefit of ensuring the selection of priority cells for communication in order to reduce charges for mobile subscribers.

9. Claims 9 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Alford** and **Wang et al**, as applied to claim 8 above, and further in view of **ETSI (European Telecommunications Standards Institute), ETS 300 535 (GSM 03.22 version 4.10.0)**.

With respect to claims 9 and 10, Alford as modified by Wang (as taught by Wang) further teach priority data relating to a terminal includes at least the priority cell identity (see FIG. 2).

However, Alford as modified by Wang fail to specifically teach information as to whether or not the terminal shall apply an offset parameter, a delay factor relating to the cell and cell re-selection hysteresis in the calculation of the parameter relating to a priority cell in a situation where cell re-selection represents shifting from a non-priority cell to a priority cell.

However, it is known in the art to use cell re-selection hysteresis and the use of a delay factor in calculating parameters relating to cell re-selection as taught by GSM 03.22 version 4.10.0. The

Art Unit: 2682

specification teaches that for cell re-selection in cell prioritization a hysteresis factor as well as an offset value can be used in determining a parameter (C2) (see sections 3.4- 3.5.2.2)

It would therefore have been obvious to one of ordinary skill in the art to use a delay factor in the system of Alford, Wang as modified by ETSI for cell re-selection hysteresis in making decisions regarding movement to and from priority cells as desired for the benefit of encouraging or discouraging re-selection of specific prioritized cells.

### *Conclusion*

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Leih et al. (WO 95/07010), discloses a mobile communication system for selecting available domains.

Kazmi (6,044,261), discloses a system for correlating different home zones a particular cellular telephone subscription.

Korpela et al. (6,167,283), discloses a system for cell selection based on user profile.

Ekbatani (5,754,955), discloses a method for providing services based on cell identification.

Fried et al. (6,094,581), discloses a tailored hierarchical cell structure system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Appiah whose telephone number is (703) 305-4772. The examiner can normally be reached on M-F from 7:30AM to 5:00PM.

Application/Control Number: 09/028,726

Page 7

Art Unit: 2682

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chang, can be reached on (703) 305-6739.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700. The Group fax number is (703) 305-9508.

Serial Number: 09/028,726

Charles Appiah

January 13, 2001.

  
**VIVIAN CHANG**  
**PRIMARY EXAMINER**